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GENERAL INFORMATION

J-2 Dependent Employment Authorization Document (EAD) Application Procedures

The procedures outlined below are provided for guidance, but do not take the place of the U.S. Citizenship & Immigration Services (USCIS) instructions. The Form I-765, Application for Employment Authorization, is a personal application that is signed by you and, as such, is your responsibility. Employment authorization is required for employment at NIH whether any income is received. J-2 dependents that wish to volunteer at NIH are required to obtain an EAD from USCIS prior to beginning the volunteer assignment.

ELIGIBILITY AND GENERAL INFORMATION

- You must hold valid J-2 status as the spouse or child of an individual with valid J-1 Exchange Visitor status, as indicated on your most recent Form I-94.
- Any income gained by your J-2 work authorization may not be used to support your J-1 spouse or parent.
- You may only begin work after you receive your EAD from USCIS. The EAD is an identification card and work permit with your photograph, signature, and validity dates of your permission to work.
- You may work part-time or full-time, at any job, for any employer with a valid EAD. There is no limit on the amount of income you may earn, the number of hours you may work, or the level of your position.

WORK AUTHORIZATION DATES

- USCIS determines the J-2 work authorization dates. USCIS will usually issue the J-2 EAD with validity through the expiration date of the J-1 Exchange Visitor's status, as indicated on Form DS-2019.
- If your J-2 status expires, so will your EAD, even if USCIS does not issue a separate notice revoking the EAD. A DIS Immigration Specialist can explain how to extend permission to stay for J-1 and J-2 Exchange Visitors. We recommend that you file for extension of your EAD at least four months in advance of the current EAD expiration date. You may begin or continue working provided your current EAD has not expired. Once your current EAD expires, you must wait to receive the renewed EAD in order to continue working.

TAXES

The income of J-2 dependents is subject to applicable federal, state, and local taxes. Employers are required by law to withhold those taxes from your paycheck.

SOCIAL SECURITY NUMBER

J-2 dependents with a valid EAD are authorized to work in the U.S. and obtain a Social Security Number (SSN). For information on applying for a SSN, refer to the **SSN Information** handout.

GENERAL FILING SUGGESTIONS

- Make a copy of the entire application and supporting documents for your records.
- Please verify the **filing location address** for the Form I-765. Be sure to use Certified Mail, Federal Express, UPS, or other courier to ensure delivery.
- Letter requesting employment authorization - as a part of your EAD application, USCIS requires a letter written by you, the J-2 dependent. The letter must specifically state that your income will not be used to financially support the J-1 Exchange Visitor and that the J-1 already has sufficient resources for his/her own expenses. Your letter should indicate the source and amount of the J-1's current funding. You should provide a reason for wanting to work, such as some worthwhile interest or activity that might include family travel, or a description of recreational or cultural activities you will fund with your income.

Questions should be addressed to **DIS** at (301) 496-6166 or **DIS@mail.nih.gov**

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BASIC DOCUMENTS REQUIRED

Be sure to always review the **Form I-765 Instructions** to confirm required documents.

- Completed and signed **Form I-765** "Application for Employment Authorization"(See Form I-765 Filing Tips at right).
- **I-765 Filing Fee** – check or money order in U.S. Dollars, from a U.S. financial institution, made payable to "U.S. Department of Homeland Security."
- **Form G-1145** (Optional) – The Form G-1145 initiates e-notification updates regarding your application.
- Letter to request employment authorization (See Page 1 of this document for instructions).
- Copy of Form DS-2019 for J-1 and J-2.
- Copy of current Form I-94 for J-1 and J-2.
- Copy of visa for J-1 and J-2.
- Copy of passport biographical page for J-1 and J-2.
- Copy of any previous EAD cards. If not applicable, please provide **ONE** of the following:
  - Copy of visa stamp for J-2 **OR**
  - Copy of passport biographical page
- Two passport-style photographs. See the **Form I-765 Instructions** for photograph requirements. Lightly print your name in pencil on the back of each photo.
- If you are the spouse of J-1 Exchange Visitor - Marriage certificate copy, translated into English.
- If you are the child of J-1 Exchange Visitor - Official birth certificate copy, translated into English.

FORM I-765 FILING TIPS

- Follow the **Form I-765 Instructions** carefully.
- Type or print all answers legibly in black ink.
- Answer all questions fully and accurately. If an item is not applicable or the answer is "none," type or print "N/A," unless otherwise directed.
- If applying for your first J-2 EAD, check the first box, "permission to accept employment". If applying for an EAD renewal, check "renewal of my permission to accept employment."
- USCIS will send your I-797 Approval Notice and EAD to the mailing address provided.
- You will likely not have an "Alien Registration Number" (A-Number) unless you were previously issued an EAD.
- Eligibility categories are found in Form I-765 instructions. Category (c)(5) currently applies to those applying for J-2 work authorization.
- Certification: Remember to sign and date Form I-765.

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